



Questionnaire
Convention on the Rights of Persons with Disabilities
Article 5 - equality and non-discrimination
Deadline 30 June 2016

You are invited to provide input to the study on article 5 (equality and non-discrimination) of the Convention, using the following questionnaire.

1. Has your country adopted legislation establishing disability as a prohibited ground of discrimination, including denial of reasonable accommodation as discrimination? Please provide details on any related legal reforms.

Over the last decade, the inclusion movement of people with disabilities gained importance in Brazil, reflecting advances in social for everyone. Have the various groups of people with disabilities in facing the political demands line was a milestone in history of this movement. With the motto "nothing about us without us," defense of the political interests of groups representing people with disabilities has, over the past few years, expand its also space in the national political scene. political scene, with respect to this portion of society.

2. Does your country apply an objective test to determine if an accommodation requested by a person with disability is undue or disproportionate? If so, please describe the tests and their different elements (500 words).

The Plan Living without limit, base of care to persons with disabilities, the Ministry of Health, after surveying the most prevalent needs are, according to information provided by the agency (BRAZIL, 2012, p. 44)¹:

A – Qualification of Dental Care (Teams of qualified oral health care for people with disabilities (PWD));

¹ BRAZIL, National Secretariat for the Promotion of Rights of Persons with Disabilities, Secretariat for Human Rights. *Advances in Public Policy for Persons with Disabilities*. Brasilia: Official Press, 2012, 63 p.



B – Expansion and qualification of rehabilitation services (Creation of Specialized Centers for Rehabilitation, Qualification of these Rehabilitation Centres of Expertise, purchase and delivery of 88 vehicles adapted for transporting people with disabilities);

C – Publication Person to Care Guidelines with Disabilities (Care Guidelines for People with Autism, Attention to the person's health with vascular accident (CVA), Guidance Detection and Early Intervention and Prevention Visual Impairments - "Eye Health in childhood ", the person with Cerebral Palsy, the person with Traumatic Brain Injury, of Persons with Intellectual Disability, Health of People with Down Syndrome, Brazilian Guidelines of Newborn Hearing Screening, Attention to the Person Docked and Persons with Spinal Cord Injury);

D – Creation and qualification Orthopedic Workshops (Workshops Creation Orthopedic Still, Purchase and delivery of Land Itinerant workshops, Orthopedic Workshops Creation Itinerant Terrestrial, Orthopedic Workshops Qualification Still, orthotists Training and prosthetists in middle level, orthotists Training and prosthetists in the period 2012-2013 at a higher level);

E – Review and Extension calls list offered by the Unified Health System (SUS), with review and Expansion of SUS outpatient care table, Inclusion of the PCD calls maintenance procedures, including adaptation wheelchair;

F – Neonatal Screening Qualification (Habilitation all Brazilian states for the realization of Phase IV of the "Test of little feet" (heel prick test)² 175 appropriate hospitals to carry out the Hearing Screening). It is noteworthy that all targets have budget guaranteed by the Ministry of Health since the year 2012 of new features in Care Network of Persons with Disabilities.

² The heel prick test is a test subsidized by the government, mandatory character that is applied to all newborns from the 3rd day of life, usually in their own maternity or hospital where the baby was born, where are collected a few drops of blood baby heel and placed on a filter paper that is sent to a lab to see if the baby has phenylketonuria, hypothyroidism the other congenital disease. After collecting the heel prick test, the exam goes to the newborn screening laboratory, together with the mother's identification data, address and telephone number, as well as the identification of the collection station. If the result of the screening test is changed, the family and the collection station are contacted by telephone by the laboratory and the baby should do further tests to confirm the disease diagnosed during the test.



3. Does your country apply affirmative actions for combating structural discrimination against persons with disabilities? If so, please describe how are these measures applied and enforced (500 words).

Accessible environments guarantee to persons with disabilities the right to come and go. accessible businesses increase productivity by investing in the skills of its professionals, creating the appropriate infrastructure. Simple changes that eliminate barriers.

There is in Brazil regulation with guidelines of the Brazilian Association of Technical Standards, where an accessibility relation, based on technical standards demonstrate: in business, accessibility and productivity beyond the rhyme, are strategic tools to increase efficiency and add value to the work.

- 1) International access symbol - identifies spaces, buildings, furniture and urban equipment accessible to people with disabilities, set in place visible to the public.
- 2) important accessibility measures that takes into account the movement of a person in a wheelchair, his reach to objects above and below.
- 3) Control devices and handles must be within the time parameters to reach objects and services.
- 4) The tactile signage on the floor with the function to alert the blind that it should reduce the step and divert existing barrier. Tracks with different texture and color that make it easy to identify the route by people with visual impairment and indicate change of plan.
- 5) The minimum dimension for the width of the corridors, which allows the passage of only a wheelchair or a blind or visually impaired person.
- 6) Above 5% slope, the floor is considered ramp and requires specific provisions.
- 7) The width of the door must be less than 0.80 m (including elevators) and have special features lifts, pit toilets, elevators, sliding doors, among others.

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- 8) Elevators for transporting wheelchairs with specific measures.
- 9) Drinkers must be in easily accessible locations and at a height of 0.90m from the floor.
- 10) Calling public should have the top floor to 1.20m to suit wheelchair users and people with dwarfism.
- 11) Chairs, chairs and benches should have access to the same height of the wheelchair seat, preferably with free space or recess at the bottom as well as tables, shelves and circulation spaces must adapt to the reality of PCD.
- 12) bathrooms with grab bars and transfer areas.
- 13) Parking with important points about vacancies reserved for disabled people.

The location shown is the nearest access or attraction poles, ensuring that the road to be traveled is minimized and barrier free. Places near the elevators are suitable for wheelchair users, crutches users and disabled with limited displacement, because the site guarantees the free movement safely. The International Access Symbol identifies the reserved spaces, which should have an additional space of movement with a minimum width of 1.20 m, when away from the track pedestrian crossing, and follow the minimum size set by the National Traffic Law and the state and municipal legislation.

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4. Does your country have laws, policies and strategies for combating discrimination against women and children with disabilities? Please describe how these policies are reflected in legislation and policy frameworks (500 words).

Annually is issued a Health Ministry study in partnership with the Brazilian Institute of Geography and Statistics (IBGE), which provides an overview of obesity, women's health, the elderly, children and the disabled person in Brazil. They are consulted on average 64,000 households.

Especially on the health of the elderly to the National Health Policy (NHP) demonstrates a comprehensive and unprecedented picture.

Population projections of Brazil show the population aging advances, which requires an adaptation of the health system to receive this population. Therefore, the National Health Survey investigated some factors related to the health of people 60 years or older.

The results obtained annually from this reference assist the Ministry of Health to outline their policies for the coming years, especially in the care of women, including also – although not the elderly - disabled children who require a differentiated service.

5 Is your country monitoring and collecting disaggregated data on discrimination against persons with disabilities, including gender, age and impairment disaggregation?

In 2015, by Decree No. 13146 of 06 July, it was instituted the Law establishes the Brazilian Law of Inclusion of People with Disabilities (Status of Persons with Disabilities), which aims to ensure and promote, on equal terms, the exercise of rights and fundamental freedoms by persons with disabilities, aiming at their social inclusion and citizenship.

Please submit with subject [Art 5 Study CRPD] by **30 June 2016** to: registry@ohchr.org

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REFERENCES

BRAZIL, National Secretariat for the Promotion of Rights of Persons with Disabilities, Secretariat for Human Rights. *Advances in Public Policy for Persons with Disabilities*. Brasilia: Official Press, 2012, 63 p.

IBDP – Brazilian Institute of the Rights of Persons with Disabilities. *Social inclusion of people with disabilities: measures that make a difference*. Rio de Janeiro: IBDD, 2008, 312 p.